

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**NIKOLLE NIKOLLAJ,**

**Plaintiff,**

**vs.**

**Case No. 02-73373**

**HONORABLE DENISE PAGE HOOD**

**COMMISSIONER OF SOCIAL  
SECURITY,**

**Defendant.**

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**ORDER ACCEPTING REPORT AND RECOMMENDATION**

This matter is before the Court on Magistrate Judge Stephen D. Pepe's Report and Recommendation, dated March 5, 2009. Neither Defendant nor Plaintiff filed any objections to the Magistrate Judge's Report and Recommendation.

The Magistrate Judge recommended that Defendant's Motion for Summary Judgment be denied and Plaintiff's Motion for Summary Judgment be granted in part and this case remanded for further proceedings to complete the record consistent with the Magistrate Judge's Report and Recommendation. The Court has had an opportunity to review this matter and finds that the Magistrate Judge reached the correct conclusion for the proper reasons.

Accordingly,

IT IS ORDERED that Magistrate Judge Stephen D. Pepe's Report and Recommendation [Docket No. 54, filed March 5, 2009] is ACCEPTED and ADOPTED.

IT IS FURTHER ORDERED that Defendant's Motion for Summary Judgment [Docket No.

**49, filed on September 8, 2008 ]** is DENIED.

IT IS FURTHER ORDERED that Plaintiff's Ex Parte Motion for Summary Judgment  
[**Docket No. 40, filed on June 17, 2008 ]** is GRANTED IN PART.

IT IS FURTHER ORDERED that this cause of action is remanded for further proceedings  
consistent with the Magistrate Judge's March 5, 2009 Report and Recommendation.

S/Denise Page Hood  
Denise Page Hood  
United States District Judge

Dated: April 13, 2009

I hereby certify that a copy of the foregoing document was served upon counsel of record  
on April 13, 2009, by electronic and/or ordinary mail.

S/William F. Lewis  
Case Manager